

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

**JOHNNY L. BRADLEY, Individually and on behalf
of the wrongful death beneficiaries of Timica M.
Bradley, deceased, and Deante Bradley, a minor, by
and through his next friend and natural father,
Johnny L. Bradley**

PLAINTIFF

VS.

CIVIL ACTION NO. 4:03CV94LR

**COOPER TIRE & RUBBER COMPANY, FORD
MOTOR COMPANY and JOHN T. EBERT**

DEFENDANTS

ORDER

This matter came before the court on the Plaintiffs' Motion to File Responses to Certain Motions under Seal and Request for Expedited Consideration. This Motion seeks leave to file response to certain Motions under seal, on grounds that they will require discussion of confidential documents. Neither the motions, documents, or discussion has been further identified. A review of the Protective Order earlier entered in this matter revealed that the court departed, likely through oversight, from its customary practice of excising from proposed protective orders any language that indicates that matters will be presumptively sealed. Indeed, Uniform Local Rule 83.6(A) declares that court records are presumptively open. While the court entered an Order on this date permitting certain supporting exhibits to be submitted under seal, it is unwilling to enter an Order permitting the presumptive or anticipatory sealing of pleadings. *Securities and Exchange Comm'n v. Van Waeyenberghe*, 990 F.2d 845, 848 (5th Cir. 1993); *United States v. Nix*, 976 F. Supp.417, 420 (S.D. Miss. 1997). Instead, any pleading sought to be filed under seal must be individually submitted to the court by way of a motion, which will only be granted after good cause is shown.

IT IS, THEREFORE, ORDERED that the Plaintiffs' Motion to File Responses to Certain Motions under Seal and Request for Expedited Consideration is hereby **denied**.

IT IS SO ORDERED, this the 9th day of February, 2007.

s/Linda R. Anderson

UNITED STATES MAGISTRATE JUDGE